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UNCLAS MAPUTO 000395

SIPDIS

SENSITIVE

G/TIP FOR RYOUSEY, AF/RSA FOR RZUEHLKE, AF/S FOR HTREGER

E.O. 12958: N/A

TAGS: [PHUM](#) [KWMN](#) [SMIG](#) [MZ](#)

SUBJECT: MOZAMBIQUE: ANTI-TRAFFICKING IN CHILDREN LAW

MOVING AHEAD

REF: A. MAPUTO 305

[1](#)B. MAPUTO 378

Sensitive but Unclassified. Not for distribution on the Internet.

[1](#)1. (SBU) Summary. On March 24 Ambassador LaLime and USAID Director Jay Knott, accompanied by visiting SFRC committee staffer Heather Flynn, paid a courtesy call to Mozambique's new Minister of Justice, Esperanca Machavela. The visit addressed a series of subjects, including the need for anti-trafficking in persons legislation. The Minister cautioned that drafting and approving anti-trafficking legislation would be a lengthy process, but said that her organization would submit a pre-proposal on anti-trafficking to the Council of Ministers during the second semester of this year. The Embassy learned separately today that the director of the Ministry of Justice's Legal Reform unit -- the government unit in charge of drafting new legislation in Mozambique -- said that the MOJ planned specifically to submit a proposal to parliament for an anti-trafficking in children law during the second semester. This proposal would be based on findings made in a study on children's rights and a series of public forums carried out by the GRM and donors in 2004. End summary.

[1](#)2. (SBU) While meeting with the Ambassador, the new Minister admitted that trafficking-in-persons does occur in Mozambique, and that legal solutions were needed. She said that she had reviewed and agreed with the agenda set forth in 2004 by the Ministry of Justice's Legal Reform Unit, on which trafficking in persons was listed as a priority issue for new legislation. The Minister ended the meeting by stating that a pre-proposal on trafficking would be submitted to the Council of Ministers in the next couple of months. The Minister said her legal team would work with the Ministry of Women and Social Action. Finally, she cautioned that drafting and approving legislation could be a long process, since the legal team at her Ministry would be busy this year drafting and reviewing new laws and regulations to comply with Mozambique's new 2004 constitution.

[1](#)3. (U) (Note: The Ministry of Women and Social Action is the host agency for Mozambique's National Council for the Advancement of Women. This Council was formed in April 2004, and is comprised of Ministers from nine key agencies, plus civil society representatives. The council, according to its charter in the Mozambican federal register, is the Mozambican body in charge of "taking measures to prevent prostitution, trafficking, and other forms of exploitation of women, girls, and children." The Council met once in 2004, and is scheduled to meet in April 2005. End note.)

[1](#)4. (U) In his comments reported in the press earlier this week, Abdul Carimo, the long-standing Director of the Legal Reform division at the Ministry of Justice, was more specific about the Ministry's plans for addressing trafficking this year. Carimo said that a preliminary anti-trafficking in children law would be presented to the National Assembly within the next two months. In addition, starting in April 2005, the Legal Reform division would be carrying out a public consultative process in three provinces, a necessary precursor to the adoption of any significant new legislation in Mozambique. He added that a law on trafficking in minors could be approved either by the Council of Ministers or by the National Assembly, although the former option is much easier. The public debate on trafficking and the proposed law would be based on findings on child rights gathered by the GRM, in partnership with UNICEF and the University of Witwaterstrand, over the course of 2004.

LALIME